## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:21-CV-587-MOC-DCK

CHARLENE HENDERSON EL and CEDRIC DEAN,	)
Plaintiffs,	)
v.	ORDER
CITY OF CHARLOTTE COUNCIL,	)
Defendant.	)
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THIS MATTER IS BEFORE THE COURT on *pro se* Plaintiff's "Request to Respond to City of Charlotte" (Document No. 14) filed November 23, 2021, which the Court interprets as a Motion to File Surreply. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion.

By the instant motion, Plaintiff Charlene Henderson El in effect seeks leave to file a surreply to address alleged slanderous and/or disrespectful statements made by Defendant's counsel in the "Reply Brief In Support Of The City Of Charlotte's Motion To Dismiss" (Document No. 11). (Document No. 14). It is not completely clear to the Court whether Plaintiff's motion also doubles as the surreply, or whether Plaintiff anticipates making an additional filing styled as a surreply.

Surreplies are generally disfavored by the Court. The Local Rules provide that they "are neither anticipated nor allowed by this Rule, but leave of the Court may be sought to file a surreply when warranted." LCvR 7.1(e). The undersigned is not convinced that a surreply is warranted or will otherwise be helpful to the Court's consideration of the pending motion to dismiss in this

instance; nevertheless, the undersigned will allow Plaintiff(s) to file a surreply that addresses any new issues raised in the reply brief.

**IT IS, THEREFORE, ORDERED** that *pro se* Plaintiff's Motion To File Surreply (Document No. 14) is **GRANTED**. Plaintiff(s) may file a Surreply of **five (5) pages or less**, on or before **December 6, 2021**. Or, if it was Plaintiff's intention that the motion double as the surreply, then the Court will consider that document.

SO ORDERED.

Signed: November 24, 2021

David C. Keesler

United States Magistrate Judge